

**REMARKS**

Claims 1-34 are pending in this application. By this Amendment, the Abstract is amended, a Supplemental Application Data Sheet is attached, and claims 17, 18, 23 and 24 are amended. Claim 17 is amended to distinguish claim 17 from the cited references, claim 18 is amended to conform to amended claim 17, and claims 23 and 24 are amended to cure informalities. No new matter is added by this amendment. Support for the amendment to claim 17 may be found in original claim 18 and at, for example, paragraph [0080] of the specification.

Applicant gratefully acknowledges that the Office Action indicates that claims 1-16, 33 and 34 are allowed, and claims 19-23 and 30-32 contain allowable subject matter.

Reconsideration and allowance are respectfully requested.

**I. Supplemental Application Data Sheet Complies With MPEP §601.05**

The Office Action alleges that the Supplemental Application Data Sheet filed on August 2, 2004 does not comply with MPEP §601.05 as the corrections were not shown using underline, and deletions using brackets or strikethroughs. The Supplemental Application Data Sheet is revised and herein submitted to show corrections using underlines and deletions using brackets or strikethroughs, and thus complies with MPEP §601.05.

**II. Claims 23-25 Satisfy All Formal Requirements<sup>1</sup>**

The Office Action objects to claim 23 because the recitation "a predetermined method" in claim 23 is allegedly unclear. By this Amendment, claim 23 is amended to delete the phrase "a predetermined method." Withdrawal of the objection to claim 23 is respectfully requested.

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<sup>1</sup> The Office Action objection includes a discrepancy in that the Office Action indicates claims 23 and 24 are objected to but then lists objections to claims 23 and 25. Based on the claim language, Applicant assumes that claims 23 and 25 are objected to.

The Office Action objects to claim 25 because the recitation "the replacement part" in claim 25 allegedly lacks antecedent basis. By this Amendment, claim 17 is amended to provide antecedent basis for "the replacement part." Withdrawal of this objection is respectfully requested.

**III. The Abstract Satisfies All Formal Requirements**

The Office Action objects to the Abstract of the Disclosure because the recitation "the communication unit," at line 11 and "the information acquisition," at line 15 of the Abstract are allegedly unclear. This objection is respectfully traversed.

The Abstract is amended to recite "apparatus main body having a communication unit that serves to communicate the information with the storage medium of the replacement part and, an information acquisition unit that .... " Thus, "the communication unit" and "the information acquisition unit" are located in the apparatus main body. Withdrawal of this objection is respectfully requested.

**IV. The Claims Define Patentable Subject Matter**

The Office Action rejects claim 17 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,890,029 to Hirata et al.; claims 18, 24 and 25 under 35 U.S.C. §103(a) as unpatentable over Hirata in view of JP 2002-111943 to Asai et al.; claims 26 and 29 under 35 U.S.C. §103(a) as being unpatentable over Hirata in view of U.S. Patent No. 6,744,998 to McIntyre; and claims 27 and 28 under 35 U.S.C. §103(a) as being unpatentable over Hirata in view of U.S. Patent No. 6,317,848 to Sorens et al. These rejections are respectfully traversed.

**A. Claim 17**

As acknowledged by the Office Action on page 4, Hirata does not disclose at least one replacement part that includes a storage medium that can store information. Claim 17 is

herein amended to incorporate this feature. Thus, claim 17 is patentable in view of Hirata and this rejection is now moot.

**B. Claims 18, 24 and 25**

Contrary to the assertion made in the Office Action, there is no motivation to combine Hirata with Asai. Asai is directed to a consumable management system (i.e., replacement parts). See, e.g., Asai, Abstract. Hirata is directed to a copy machine control system that includes a plurality of copy machines. See, e.g., Hirata, Abstract. Hirata nowhere discusses replacement parts. Thus, there would be no motivation to combine Hirata with Asai. However, even if one of ordinary skill in the art could somehow have combined these two references, the presently claimed invention still would not have been achieved.

Specifically, none of the applied references teach or suggest an image forming apparatus that includes "at least one replacement part including a storage medium that can store information and into which identification information inherent to the replacement part is written; and an apparatus main body to which the replacement part is detachably mountable and which includes: a control unit ...," as recited in amended claim 17.

As acknowledged by the Office Action on page 4, Hirata does not disclose at least one replacement part that includes a storage medium that can store information. However, the Office Action asserts that Asai remedies this deficiency. Specifically, the Office Action asserts that Asai discloses a consumable management system that can easily handle consumables that can be attached to and detached from the body of the image forming device. The Office Action further asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the apparatus of Hirata with that of Asai so that the information of the consumables can be used more efficiently in the image forming apparatuses. These assertions are respectfully traversed.

Asai discloses a consumable management system, where each consumable has a radio module that stores consumable information, such as the serial number, parts ID, working state, guarantee period and fitting/non-fitting to the image forming device. The body of the image forming device of Asai communicates with the radio modules of the consumables, and merely prepares inventory management information for managing each consumable based on the consumable information. See e.g., Asai, Abstract.

In contrast, the claimed image forming apparatus includes "at least one replacement part including a storage medium that can store information" and "a control unit that obtains information on an operating state of the image forming apparatus, wherein the operating state includes information stored in a storage medium." The control unit "manages the operating state of the image forming apparatus," as recited in claim 17. Because Asai merely prepares inventory management information for managing each consumable and does not manage the operating state, the claimed image forming apparatus is different from the apparatus of Asai. Thus, even if the apparatus of Hirata and Asai were combined, the presently claimed invention still would not be achieved.

Further, even if the apparatus of Hirata was combined with that of Asai, the combined apparatus would not teach an image forming apparatus that uses information of consumables more efficiently. The image forming device of Asai mainly communicates with each consumable through radio modules. However, the specification asserts that a technique using a replacement part that includes a storage medium that stores information on the replacement part, and a communication unit for communicating the information stored in the storage medium through a radio wave requires a memory having a large capacity. See e.g., paragraph [0017]. Further, the claimed information apparatus eliminates the necessity of a large capacity memory by storing only the necessary and minimum information in a storage medium provided to a replacement part. That is the storage medium of the at least one

replacement part stores "identification information inherent to the replacement part," as recited in claim 17. See, e.g., paragraph [0021]. Nowhere do Hirata alone or in combination with Asai teach or suggest these benefits. Thus, the Office Action has failed to make out a case of prima facie obviousness.

Claims 18, 24 and 25 depend from claim 17. Thus, for at least the reasons discussed above with respect to claim 17, claims 18, 24 and 25 are patentable over Hirata and Asai. Withdrawal of this rejection is respectfully requested.

**C. Claims 26 and 29**

Claims 26 and 29 are dependent from claim 17. For at least the reasons discussed above with regard to claim 17, claims 26 and 29 are patentable over the combination of Hirata and McIntyre. Withdrawal of this rejection is respectfully requested.

**D. Claims 27 and 28**

Claims 27 and 28 depend from claim 17. Thus, for at least the reasons discussed above with respect to claim 17, claims 27 and 28 are patentable over the combination of Hirata and Sorens. Withdrawal of this rejection is respectfully requested.

**V. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-34 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Amended Abstract  
Supplemental Application Data Sheet  
Petition for Extension of Time

Date: February 7, 2005

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